

oath of office, and shall file a copy of such oath of office and a copy of his appointment with the Live Stock Sanitary Commission; and until such copies are so filed, said officer shall not be deemed legally qualified. Compensation of said veterinarian shall be fixed by the commissioners' court; provided, that no compensation or salary shall be allowed except for services actually rendered; said officer shall be a graduate veterinarian, and shall work under the direction of the Live Stock Sanitary Commission, and shall investigate and report all malignant, infectious or contagious diseases of live stock within his county to the Live Stock Sanitary Commission, and shall burn to ashes the carcass or carcasses of any domestic animal or animals found dead upon any property of the county, where the ownership of such animal or animals is unknown.

Sec. 20. The dip to be used in the treatment of sheep scab under official supervision in this State is the lime and sulphur dip, made in the proportion of eight (8) pounds of unslaked lime or eleven (11) pounds of commercial hydrated lime (not air-slaked lime), and twenty-four (24) pounds of flowers of sulphur to one hundred (100) gallons of water. The dipping bath must at all times be maintained at a strength of not less than one and one-half (1½) per cent of sulphid sulphur, or any other dip officially approved by both Live Stock Sanitary Commission of Texas and the United States Bureau of Animal Industry. The dip to be used in the treatment of cattle for ticks shall be the arsenical dip approved by the United States Bureau of Animal Industry or any other dip officially approved by both the said bureau and the Live Stock Sanitary Commission of Texas.

Sec. 21. Any person owning, controlling or in charge of any domestic animal or animals which shall be required to be dipped under any of the provisions of this Act, who shall wilfully fail or refuse to dip in the official dips as above specified, or shall wilfully fail or refuse to maintain said dip at the strength officially specified, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than ten (\$10) dollars nor

more than two hundred (\$200) dollars.

Sec. 22. This Act shall be liberally construed and if any section thereof be declared invalid, the remaining parts of the law shall not be affected thereby, and it is the intent of the Legislature to preserve all, any, and every portion of said Act, if possible.

Sec. 23. This Act does not repeal any law in force for the protection of domestic animals, but is cumulative thereto.

Sec. 24. Chapter 169 of the General Laws of 1913, as passed by the Thirty-third Legislature at its Regular Session, Articles 1266, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277 and 1278, of the Revised Criminal Statutes of 1911, are hereby expressly repealed, and all other laws and parts of laws in conflict herewith are hereby repealed.

Sec. 25. The fact that there is now no adequate law in this State defining the duties of the Live Stock Sanitary Commission, or regulating live stock sanitary control work in Texas, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force as set out in its provisions from and after its passage, and it is so enacted.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 31, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.

Absent.

Hudspeth.

Robbins.

Absent—Excused.

Gibson.

Suiter.

Harley.

Westbrook.

Henderson.

Woodward.

Hopkins.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Clark.

Petitions and Memorials.

Senator King offered a telegram asking support of C. W. Woodman for Labor Commissioner.

Some discussion followed, whereupon Senator Bailey made the point of order that no Senator has any right to discuss in the Senate any matter that is pending in executive session.

The point of order was sustained.

See Appendix for brief statement of other petitions and memorials.

Committee Reports.

See Appendix for all committee reports.

Bills and Resolutions.

By Senator Johnston of Harris:

S. B. No. 256, A bill to be entitled "An Act to amend Articles 2913 and 2914 of Chapter 1; Articles 2921, 2925 and 2926 of Chapter 2, and Articles 3086, 3088, 3089, 3121 and 3122 of Chapter 10, Title 49, Revised Civil Statutes of Texas, 1911, so as to limit the size of election precincts and the number of voters therein; to change the time for the opening and closing of the polls at primary elections; to provide for the return of unused election supplies and for the making of returns of the votes cast in primary elections; to change the dates upon which primary elections shall be held; to regulate the compensation of election officers in primary final elections, and to expedite the making of election returns and the publicity thereof."

Read first time and referred to

Committee on Privileges and Elections.

By Senator Johnston of Harris:

S. B. No. 257, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, Title 84, of the Revised Civil Statutes of Texas of 1911 so as to make privileged, without proof of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners courts and boards of trustees of public schools."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnston of Harris:

S. B. No. 258, A bill to be entitled "An Act to fix the venue of suits for damages for libel and slander."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnston of Harris:

S. B. No. 259, A bill to be entitled "An Act to amend Article 5598 of the Revised Civil Statutes of the State of Texas of 1911, Title 84, Chapter 1, by providing that nothing in said title shall be construed to take away any now or heretofore existing defense to a civil action for libel, and preserving all such defenses."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Johnston of Harris:

S. B. No. 260.

By unanimous consent of the Senate, S. B. No. 260 was recalled by its author and withdrawn entirely.

By Senator Johnston of Harris:

S. B. No. 261, A bill to be entitled "An Act to amend Article 5685 of the Revised Civil Statutes of Texas of 1911 by providing that no action for injuries done to the character or reputation of another by libel or slander shall be maintained unless notice of the claim therefor has been given by the claimant to the adverse party or parties within ninety-five days after the accrual of the cause of action."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 262, A bill to be entitled "An Act to amend Article 984 of the Revised Civil Statutes of Texas, 1911, so as to authorize cities and towns to require the filling up, draining and regulating of any lot or lots, grounds or yards, or other places in the city or town which shall be unwholesome, or have stagnant water therein, or from any other cause be in such condition as to be liable to produce disease; to cause or make inspection of all premises and to impose fines on the owners of the houses under which stagnant water may be found, and to pass such ordinances as they may deem necessary for the purposes aforesaid, and for making, filling up, altering or repairing of all sinks and privies, and directing the mode and material for constructing them in the future, and for cleansing and disinfecting the same; and for cleansing of houses, buildings, yards or grounds of filth, carrion or impure or unwholesome matter of any kind; and to punish the owner or occupant violating the provisions of any ordinances so passed as aforesaid; and providing for the removal of weeds, rubbish, brush, etc., from lots, and empowering the city or town council, city commissioners or other governing body of such city or town to make or cause such improvements to be made at the expense of the city on account of the owners, and to cause the expense of such improvements or work to be assessed on the real estate or lot or lots for or upon which work is done or improvements are made; and making provisions for notice to owners, and providing that a lien may be fixed upon such lot or lots, etc., for the improvements made or caused to be made by the city or town or for the work done; and also providing how the amounts expended in such improvements or work may be fixed, and providing for suit and foreclosure of the lien given and the rate of interest to be paid on the amounts so expended; repealing all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Bee:

S. B. No. 263, A bill to be entitled "An Act to amend Article 1033, Chapter 14, Title 22, of the Revised Civil Statutes of the State of Texas, adopted in 1911, so as to authorize the incorporation of towns or villages containing more than two hundred (200) and less than ten thousand (10,000) inhabitants."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Dean:

S. B. No. 264, A bill to be entitled "An Act to authorize and permit W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the last will of Mrs. Delha Eastham, deceased, to sue the State of Texas and the Prison Commissioners of the State of Texas, in the district court of Walker county for damages for the breaches, if any of, and failure, if any, to perform the duties and obligations, if any, arising out of the contract made between Mrs. Delha Eastham, then a widow, now deceased, and J. A. Herring, then superintendent, and J. C. Haynes, then financial agent, of the penitentiaries of the State of Texas, for the cultivation, with convict labor, of the farm of said Mrs. Delha Eastham, situated in Houston county, Texas, for the term of two years, beginning on the first day of January, A. D. 1910, and ending on the 31st day of December, A. D. 1911, which farm consists of about four thousand acres of cultivable land; and providing that no pleas of limitations shall be urged in bar of the cause of action alleged by the plaintiffs in said suit; and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commissioners; and providing for the manner of payment thereof."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 265, A bill to be entitled "An Act to authorize and permit B. A. Eastham to sue the State of Texas and the Prison Commission of the State of Texas in the district court of Walker County, Texas, for damages for the breaches, if any, of and

the failure, if any, to perform the duties and obligations, if any, arising out of the contract made on or about the 12th day of January, A. D. 1910, between the said B. A. Eastham of the one side and J. A. Herring, as superintendent, and A. M. Barton, as financial agent, of the Texas State penitentiaries, of the other side, for the cultivation of the farm of the said B. A. Eastham on the share farm system, with convict labor, for a term of two years, commencing on January 1, A. D. 1910, and ending December 31, 1911, which said farm consists of about one thousand acres and is located in Walker county, Texas; and providing that no pleas of limitation shall be urged in bar of the cause of action alleged by the plaintiff in said suit; and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commission; and providing for the manner of payment thereof."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 266, A bill to be entitled "An Act to create a special road law for Delta County; and providing for levying and collecting a road tax; authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof; also to work convicts in opening, laying out and repairing said roads; giving the commissioners court the power to establish, change, improve or discontinue public roads, and to purchase and use all necessary teams and implements for that purpose, and giving to said court the power to condemn land for establishing, widening, draining and otherwise improving the public roads, and to cause obstructions to be removed therefrom; making each commissioner of said county a road superintendent in his precinct and prescribing his duties; fixing the compensation for county commissioners for road service, and providing for the general supervision by the commissioners court of all public roads in said county."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Dayton:

S. B. No. 267, A bill to be entitled "An Act to define a delinquent child and to regulate the treatment and control of same; providing for commitment of the delinquent and incorrigible juvenile in the State institution to be hereafter known as the State Training School for Boys, located at Gatesville, Coryell County, Texas; and to provide for the appointment by the Governor of six trustees, and defining the duties of said trustees; and providing that the trustees shall appoint a superintendent to manage said institution upon the advice and consent of the Governor, and fixing his salary; and providing further that the superintendent shall appoint such other officers and employees as may be necessary for the management of said institution, by and with the consent of the Board of Trustees; and providing further that the Board of Trustees shall fix the salaries and define their duties; and providing further that the said Board shall formulate by-laws, rules and regulations for the economic and efficient government and control of said institution, having in view the object to be accomplished by this Act. Said by-laws, rules and regulation when adopted by said Board and approved by the Governor, shall become binding and of obligatory force upon the trustees, superintendent, subordinate officers, employees and inmates of said institution, and it shall be the duty of the trustees to see to the enforcement of said rules. And providing further for a public school at said institution as now provided for by Articles 2733 and 2734 of the Acts of the Legislature of 1905. And providing further that the trustees appointed by the State Superintendent for the management of said public school at said institution shall have full and complete control of said public school and said Board shall appoint a principal for the management of said school and such other teachers as may be necessary for the maintenance of said school. And said Board of Trustees shall be under the control and shall act and carry out the instructions given them by the State Superintendent of Public Instruction, and in the event that said trustees fail or refuse to carry out the instructions given them by the said Superintendent of Public Instruction of

the State of Texas, then the State Superintendent of Public Instruction shall remove them and appoint some one to take their place and shall withhold the public funds that has or may be set apart for the payment of the teachers of said institution, and providing further that the trustees appointed by the State Superintendent for the management of said public school shall maintain a public school for the benefit of the children and appoint teachers for that purpose by the consent of the State Superintendent of Public Instruction, and providing for penalty for the violation of this Act, and declaring an emergency."

Read first time and referred to Committee on State Institutions and Departments.

By Senator Buchanan of Scurry:

S. B. No. 268, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to require the county judges, county, city and town superintendents, county and city treasurers and depositories of school boards and other school officers and teachers certain reports relating to school funds and school affairs; providing that the State Superintendent shall furnish blanks for such purpose; providing a penalty for a failure on the part of such officers to make such reports within twenty days after required by the State Superintendent, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Lattimore:

S. B. No. 269, A bill to be entitled "An Act to define junk dealers; to require such dealers to give bond, prescribing the conditions of such bond; to require such dealers to take bill of sale from each seller; to forbid the purchase of certain articles by such dealers from minors or in the night time; to prescribe penalties and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senators Smith and Bee:

S. B. No. 270, A bill to be entitled "An Act to amend Article 7382, Title 126, Chapter 2, of the Revised Civil Statutes of Texas, 1911, so as to exempt from taxation upon gross receipts in cities and towns of five thousand population and less, as given by the last

Federal Census, each and every individual, company, corporation or association, owning, managing or controlling any telephone line or lines or any telephone within this State and charging for the use of the same, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hall:

S. B. No. 271, A bill to be entitled "An Act to validate the incorporation of the City of Texas City, and to declare valid all Acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and city commissioners sitting as a board of commissioners, since the incorporation of said City of Texas City."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hall:

S. B. No. 272, A bill to be entitled "An Act to amend Chapter 3, Title 124, of the Revised Civil Statutes of 1911, so as to take the Counties of Wharton, Fort Bend, Martagorda and Brazoria from the counties exempted by Article 7184 of said Act, and place said counties under the provisions of said Title 124, Chapter 3."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Hall:

S. B. No. 273, A bill to be entitled "An Act to amend Article 909, Chapter 6, Title 13, of the Revised Civil Statutes of the State of Texas, 1911. The same was amended at the Regular Session of the Thirty-third Legislature; providing for regulating the sale and possession of certain fish, of certain sizes and weights; prohibiting the stretching of seines and nets in certain places and for certain periods of time; and providing a penalty for the violation of this Section and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 274, A bill to be entitled "An Act authorizing a local commercial organization to contribute to the support and maintenance of State commercial organizations."

Read first time and referred to

Committee on Commerce and Manufactures.

By Senator Lattimore:

S. B. No. 275, A bill to be entitled "An Act to expedite business in the courts and to require exceptions and dilatory pleas to be presented and acted upon in such a way as not to delay the trial of causes, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. J. R. No. 14, "Proposing to amend the Constitution of the State of Texas by amending Article 6, Section 2, of the Constitution by striking out and repealing said Section 2 and substituting in lieu thereof another Section 2; defining qualified electors in this State; prescribing where such electors may vote; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and method of voting; directing the issuance of proclamation therefor; prescribing certain duties for the Governor of the State, and making an appropriation to defray the expenses of the said election."

Read first time and referred to Committee on Constitutional Amendments.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 38, A bill to be entitled "An Act to amend Articles 1521, 1522, 1543, 1544 and 1526 of the Revised Civil Statutes of 1911, as amended by the Acts of the Thirty-third Legislature, approved March 28, 1913, defining the original and appellate jurisdiction of the Supreme Court, and regulating the practice therein."

H. B. No. 40, A bill to be entitled "An Act making it a misdemeanor to kill or in any manner injure the winged quadruped known as the

common bat, repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 46, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college, its government, and the control of its finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the location, establishment and maintenance of said college, and declaring an emergency," with engrossed rider.

H. J. R. No. 15, "Proposing to amend the Constitution of the State of Texas by amending Section 2 of Article 6 of the Constitution by striking out and repealing said Section 2 and substituting in lieu thereof another Section 2; defining qualified electors in this State; prescribing where such electors may vote; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and method of voting; directing the issuance of proclamation therefor; prescribing certain duties for the Governor of the State, and making an appropriation to defray the expenses of said election," with engrossed rider.

H. B. No. 103, A bill to be entitled "An Act to authorize the construction of and make an appropriation for the construction of a main building, chemical laboratory building, dormitory and power house for the School of Mines of the State of Texas, located in El Paso, Texas, and to make an appropriation of all funds collected from insurance on the burned buildings of said School of Mines for said purpose, and for furnishing, equipping and maintaining said School of Mines, and declaring an emergency."

S. C. R. No. 10, Relating to the re-

placing of the chandeliers in Senate and House, with amendments.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 38, referred to the Committee on Civil Jurisprudence.

H. B. No. 40, referred to the Committee on Criminal Jurisprudence.

H. B. No. 46, referred to the Committee on Educational Affairs.

H. B. No. 103, referred to the Committee on Finance.

H. J. R. No. 15, referred to the Committee on Constitutional Amendments.

Senate Bill No. 237 Withdrawn from Committee of the Whole.

Senator Hudspeth made a motion to rescind the action of the Senate last Monday whereby Senate Bill No. 237 was referred to a committee of the whole Senate for consideration.

The motion prevailed.

Senator Hudspeth then asked unanimous consent to have the entire membership of the Senate sit with the Committee on Labor at 2 o'clock today for the consideration of Senate Bill No. 237.

There was no objection, and it was so ordered.

Reasons for Vote on Senate Bill No. 83.

(Passed on yesterday.)

I voted "Nay" upon Senate Bill No. 83, both as to engrossment and final passage, because I am unalterably opposed to monopolies and believe this makes them possible. Because no return is promised the people for the extraordinary grant of powers contained in the bill. Because no one is demanding such legislation but the special interests who can reap enormous benefits therefrom. Because I believe the general law restricting corporations to one purpose—a good one—and see no sufficient reason for changing the rule as to oil companies.

LATTIMORE.

Senate Bill No. 185—Made Special Order.

By unanimous consent and on request of Senator Lattimore, Senate Bill No. 185 was set as a special order for next Friday at the conclusion of the morning call.

House Bill No. 292.

The Chair laid before the Senate on second reading:

H. B. No. 292, A bill to be entitled "An Act creating and establishing Brazoria Independent School District in Brazoria County, Texas, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 292 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hall.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	

Absent.

Hudspeth.	Robbins.
McCollum.	

Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Clark.
Bailey.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Decherd.
Buchanan of Scurry.	Floyd.
Caldwell.	Hall.

Johnson of Hall.	Page.
Johnston of Harris.	Parr.
King.	Smith.
Lattimore.	Strickland.
McNealus.	

Absent.

Hudspeth.	Robbins.
McCollum.	

Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Senator Hall moved to reconsider the vote by which House Bill No. 292 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 163.

The Chair laid before the Senate on second reading:

H. B. No. 163, A bill to be entitled "An Act creating and establishing Freeport Independent School District in Brazoria County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 163 put on its third reading and final passage by the following vote:

Yeas—21.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Hall.	

Present—Not Voting.

Alderdice.

Absent.

McCollum.	Robbins.
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Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hall.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.

Absent.

King.	McCollum.
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Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Senator Hall moved to reconsider the vote by which House Bill No. 163 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 12.

The Chair laid before the Senate on second reeading,

H. B. No. 12, A bill to be entitled "An Act to amend Article 1905, Chapter 8, Title 37, of the Revised Civil Statutes of the State of Texas, relating to the time when the answer in case of citation by publication shall be filed."

The bill was read second time and on motion of Senator Dayton passed to its third reading.

House Bill No. 11.

The Chair laid before the Senate on second reading:

H. B. No. 11, A bill to be entitled "An Act to amend Article 1874 and Article 1875, Chapter 6, Title 37, of

the Revised Civil Statutes of the State of Texas, relating to citation by publication against a defendant who is a non-resident of the State, or who is a transient person, or whose residence is unknown, or who is the unknown heir of a deceased person."

On motion of Senator Dayton the bill was passed to its third reading.

House Bill No. 269.

The Chair laid before the Senate on second reading:

H. B. No. 269, A bill to be entitled "An Act creating the Odem Independent School District, known as Common School District No. 7, in San Patricio County, Texas, and including within its limits the Town of Odem," etc.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 269 was put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Hall.	

Absent.

Strickland.

Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Bee.
Bailey.	Buchanan of Bell.

Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Hudspeth.	Smith.
Johnson of Hall.	Strickland.
Johnston of Harris.	

Absent.

Hall.

Absent—Excused.

Gibson.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Senator Parr moved to reconsider the vote by which House Bill 269 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 240.

The Chair laid before the Senate on second reading:

H. B. No. 240, A bill to be entitled "An Act creating the Eighty-second Judicial District of Texas, to be composed of Falls County and rearranging the terms of the Fifty-fourth Judicial District, and eliminating Falls County from said Fifty-fourth District, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to its third reading:

On motion of Senator McCollum, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 240 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Johnson of Hall.
Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Hudspeth.	

Absent.

Hall.

Absent—Excused.

Gibson.	Sulter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Hall.	

Absent.

Page.

Absent—Excused.

Gibson.	Sulter.
Harley.	Westbrook.
Henderson.	Weedward.
Hopkins.	

Senator McCollum moved to reconsider the vote by which House Bill No. 240 was passed and table the motion to reconsider.

The motion to table prevailed.

Morning call concluded.

Senate Bill No. 11.

(Special Order.)

The Chair laid before the Senate on second reading:

S. B. No. 11, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith."

The bill was read second time.

Senator Bailey offered the following amendment:

(1) Amend Senate Bill No. 11 by striking out in the Fourteenth Dis-

trict, line 21, page 2, of the printed bill, the words "Goliad, Refugio," and further amend the bill by adding in the Ninth District, in line 7, page 2, of the printed bill after the word "DeWitt," the words "Goliad and Refugio."

The amendment was read, and

Senator Dayton moved to table the same.

The motion to table was lost by the following vote:

Yeas—2.

Dayton.	Hudspeth.
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Nays—20.

Alderdice.	Johnston of Harris.
Bailey.	King.
Bee.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dean.	Parr.
Decherd.	Robbins.
Hall.	Smith.
Johnson of Hall.	Strickland.

Present—Not Voting.

Buchanan of Bell.	Floyd.
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Absent—Excused.

Gibson.	Sulter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Action recurred upon the amendment, and the same was adopted.

Senator Bailey moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Senator Page offered the following:

Amend the bill in line 7, page 2, by striking out the word "Austin," and in line 10, page 2, by striking out the period after the word "Williamson" and inserting a comma and the word "Austin."

PAGE.
CALDWELL.
BAILEY.

Senator Clark moved to table the amendment, which motion prevailed by the following vote:

Yeas—10.

Clark.	McCollum.
Dean.	McNealus.
Hall.	Parr.
Hudspeth.	Robbins.
Johnson of Hall.	Smith.

Nays—8.

Bailey.	Dayton.
Bee.	Decherd.
Buchanan of Scurry.	King.
Caldwell.	Page.

Present—Not Voting.

Buchanan of Bell.	Lattimore.
Floyd.	Strickland.
Johnston of Harris.	

Absent.

Alderdice.

Absent—Excused.

Gibson.	Sulter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Senator Dayton offered the following amendments, which were read and adopted, being voted on separately:

(2) Amend caption by adding thereto the words "and declaring an emergency."

(3) Amend by adding Section 4, which shall read as follows:

"Sec. 4. Whereas, the redistricting of this State congressionally is a public necessity, now, therefore, it is hereby declared that an emergency exists and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act shall go into effect immediately after its passage, and it is so enacted."

Senator Dean offered the following amendments, which were read and adopted, being voted on separately:

(4) Amend the bill by striking out the word "Grimes" in line 4, page 2, of the printed bill, and by striking out the period at the end of line 2, page 2, of the printed bill and inserting in lieu thereof a comma and the word "Grimes."

(5) Amend the bill by striking out the word "Leon," line 31, page 1, of the printed bill.

Senator Decherd offered the fol-

lowing, which was read and adopted:

(6) Amend Senate Bill No. 11, page 2, line 13, by striking out the word "Milam" and inserting it in line 31, page 1.

Reasons for Vote.

In voting with Senator Decherd for the keeping of Milam County in its present district, I did so upon the assurances that the Milam County people desired to remain in that district. I am reliably informed that the representative from Milam County also desires that county to remain in the present district.

So far as my personal wishes are concerned, I want to say that it would have been a pleasure to have had Milam County included in the district with my county. I, however, gladly acquiesced in the desires of the people of that county to remain in the present district.

McCOLLUM.

(Senator Bailey in the Chair.)

Senator Robbins offered the following amendment:

(7) Amend Senate Bill No. 11 by striking out the word "Harrison," in line 21, page 1, of the printed bill, and include the word "Harrison" in line 18 of page 1 of the printed bill, after the word "Marion."

ROBBINS.
SMITH.

Pending.

Adjournment.

At 12:25 o'clock p. m., on motion of Senator McNealus, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Petitions were offered by Senators Smith, Johnson of Hall and Dean against the Drug Law Act.

A petition to Senator Hudspeth from the voters of Coke County was offered, protesting against the Metcalf Bill, relating to a closed season of five years on birds, and also against the bill prohibiting the use of automatic and repeating guns.

Senator Clark offered a petition from Fayette County, asking his sup-

port of a bill prohibiting the killing or trapping of quail and doves for a period of five years.

Senator Buchanan of Bell offered a petition from the citizens of Bosque County, asking him to urge and vote against a bill bearing on the matter of Sunday amusements.

Telegrams from Port Arthur and Beaumont were offered by Senator King and read, urging the confirmation of C. W. Woodman for Labor Commissioner.

Senator Bee sent up a petition from San Antonio asking his support of S. B. No. 59. The bill has for its purpose the protection of men engaged in the building and repairing of trucks, cars and other railroad equipment.

A telegram to Senator Dayton was read from a number of citizens of Gainesville opposing the Public Utility Bill now before the Senate.

Senator Johnson of Hall offered a petition from Vernon, Texas, urging him to use his influence and vote against the proposed Optometry Bill.

The San Antonio Trades Council has sent a letter to Senator Bee requesting his support of the Compensation Law.

Enrolling Committee Report.

Committee Room,
Austin, Texas, January 30, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 9, and find it correctly enrolled, and have this day at 3:47 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 83, carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 68 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 34, A bill to be entitled "An Act providing a salary for district attorneys in counties having a population of more than 100,000 of \$500.00 and all fees, commissions, and perquisites earned by such office and exempting such district attorney from making accounting as required by Articles 3894 to 3897, inclusive, and by other provisions of law of such fees, commissions and perquisites, and repealing all laws fixing a maximum compensation allowed such district attorney to pay over any excess fees,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, with the following amendment:

"Provided that the salary and fees contemplated herein shall not exceed the sum of five thousand dollars in one year."

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 25, A bill to be entitled "An Act exempting from taxation Catholic Women's Homes and Associations used exclusively for the purpose of furthering religious work and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, with the following amendments:

Amend the bill by striking out the word "Catholic" wherever it occurs in the caption and in the bill.

Amend the bill by striking out in Section 1 of the bill "under the jurisdiction of the Roman Catholic Church."

BAILEY, Chairman.

Committee Room,

Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 222, A bill to be entitled "An Act to prescribe the parties to and venue of suits against foreign railroad corporations, assignees, trustees and receivers, and providing additional means of obtaining service on non-resident railroad corporations or companies in this State, and defining who are agents of such railway corporations or companies, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Committee on Privileges and Elections, to whom was referred

S. B. No. 242, A bill to be entitled "An Act to provide that women may vote in all primary elections in Texas; prescribing qualifications and declaring an emergency,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do not pass.

DAYTON, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your committee on Privileges and Elections, to whom was referred

S. B. No. 242, A bill to be entitled "An Act to provide that women may

vote in all primary elections in Texas; prescribing qualifications and declaring an emergency,"

Have had same under consideration, and beg to report same back to the Senate with the recommendation that it do pass.

DECHERD,

BUCHANAN of Bell.

Committee Room.

Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 223, A bill to be entitled "An Act to provide for the purchase and lease of real property by county school trustees of all common school districts, and of those independent school districts having less than 150 scholastics, and by the trustees of all independent school districts having 150 scholastics or more in the State of Texas, by condemnation proceedings for the purpose of furnishing playgrounds and sites upon which to build school houses and for agricultural purposes to be used in connection with said schools,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,

Austin, Texas, January 31, 1917. .

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 244, A bill to be entitled "An Act establishing a State Normal College; providing for the location of same by a locating committee and for control of same, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,

Austin, Texas, January 31, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 250, A bill to be entitled "An Act to amend Section 50a, Chapter 100, Acts of the Regular Session of the Thirty-second Legislature, relating to the authority of commissioners courts to create county line school districts; so as to authorize boards of county school trustees to create such districts and prescribing the manner whereby such districts may be created, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, January 31, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 230, A bill to be entitled "An Act to validate county line school district No. 14, lying in Comanche and Eastland Counties, under the control of Comanche County and to validate the consolidation of what was heretofore Common School District No. 14 of Comanche County with Common County Line School District No. 67, lying in Comanche and Eastland Counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, January 31, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 226, relating to the term of office of the criminal district attorney of Harris County, Texas,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the following committee substitute do pass in lieu thereof, and be not printed.

PAGE, Chairman.

Committee Room,
Austin, Texas, January 31, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 134, A bill regulating real estate and stock commission dealers,

Has had the same under consideration, and I am instructed to report same back to the Senate, with the recommendation that it do pass.
PAGE, Chairman.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, February 1, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent, the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson, of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.

Absent—Excused.

Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.